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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

5 JOHN KIM,

6 Plaintiff,

7 v.

8 SANOFI PASTEUR, INC.,

Defendant.

C18-31 TSZ

MINUTE ORDER

9 The following Minute Order is made by direction of the Court, the Honorable
10 Thomas S. Zilly, United States District Judge:

11 (1) The parties' stipulated motion regarding the amount in controversy, docket
12 no. 44, is GRANTED as follows. By Minute Order entered October 15, 2018, docket
13 no. 32, the Court observed that, with respect to plaintiff's claim under the Washington
14 Law Against Discrimination ("WLAD"), the amount in controversy had not been
15 pleaded, and diversity jurisdiction had not been adequately alleged, but that, following
16 plaintiff's voluntary dismissal of the only federal claim in this matter, the Court still has
17 (and is not declining to exercise) subject matter jurisdiction as to the WLAD claim,
18 pursuant to 28 U.S.C. § 1367(a). The Court treats the parties' stipulated motion, docket
19 no. 44, as seeking leave to amend the complaint to assert, and to amend the answer to
20 admit, that the amount in controversy exceeds \$75,000. *See Chavez v. JPMorgan Chase*
21 *& Co.*, 888 F.3d 413, 416 (9th Cir. 2018) ("litigants cannot stipulate to subject matter
22 jurisdiction where it does not otherwise exist," but a concession made in good faith is
23 "strong evidence that the amount in controversy exceeds \$75,000"). The parties are
granted such leave, and the Complaint, docket no. 1, and the Answer, docket no. 8, will
be deemed amended to allege and admit the requisite amount in controversy.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

Dated this 22nd day of January, 2019.

William M. McCool
Clerk

s/Karen Dews
Deputy Clerk